

EXHIBIT 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

THOMAS LAMARCO and DIANE LAMARCO,

Plaintiffs,

CONSENT DECREE

-against-

22-cv-04629 (GRB)(JMW)

SUFFOLK COUNTY, New York, Commissioner RODNEY HARRISON, Individually and in his Professional capacity, Captain WILLIAM SCRIMA, Individual, Sgt. WILLIAM WALSH, Individually, Police Officer "John" PLIHCIK, Individually, and 'JOHN DOES 1-5', Individually,

Defendants.

Plaintiffs Thomas LaMarco and Diane Lamarco have brought this action against defendants pursuant to 42 U.S.C. § 1983 alleging violations of their pre and post deprivation right to due process of law under the Fourteenth Amendment to the U.S. Constitution. The parties desire to avoid further litigation and have reached agreement which is memorialized by this Consent Decree. Defendants do not admit any liability or wrongdoing on their part and this Consent Decree shall not constitute any admission on their part of any liability or wrongdoing here. This Consent Decree constitutes a final judgment binding on all parties to this action.

Wherefore, it is ORDERED that:

- 1) the Suffolk County Police Department shall not hereafter suspend, revoke or decline to issue a pistol license solely on the basis that an adult cohabitant of the pistol license applicant or pistol license holder has undergone in-patient or emergency psychiatric treatment.

- 2) In the event of a relevant change in the applicable law, either party may apply to the Court for a corresponding modification of this Consent Decree.
- 3) The Court shall retain jurisdiction over this matter for purposes of enforcing and/or modifying this Consent Decree.

Dated: Hauppauge, New York
September , 2024

By: Amy Bellantoni, Esq.
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Christopher J. Clayton
Suffolk County Attorney
By: Arlene S. Zwilling
Assistant County Attorney
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

SO ORDERED:

Date: _____

Hon. Gary R. Brown
United States District Court Judge